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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/998,109 | 11/30/2001 | Sean S. Josephson | 15-NM-6150 (070191-0324) | 4424 |

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EXAMINER

CONLEY, FREDRICK C

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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3673

DATE MAILED: 10/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/998,109

Applicant(s)

JOSEPHSON ET AL.

Examiner

Fredrick C Conley

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3 and 19 is/are allowed.
- 6) ☒ Claim(s) 1,2,4,6,7,9-13,16-18 and 20 is/are rejected.
- 7) ☒ Claim(s) 5,8,14,15 and 21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 4, 6, 9-10, 12-13, 16-18, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 4,105,923 to Hynes.

In reference to claim 1, Hynes discloses a patient transport system for transporting a patient from a magnetic resonance imaging system to a second imaging system, the patient transport system comprising:

an elongated member 20 having an upper surface configured to support a patient;

a first coupling mechanism 28 attached to the elongated member configured to removably couple the elongated member to the magnetic resonance imaging system (col. 10 lines 20-23).

a second coupling mechanism attached to the elongated member configured to removably couple the elongated member to a second imaging system (col. 8 lines 21-29).

In reference to claim 2, wherein the elongated member comprising a cradle and a table wherein the cradle rest on the table

Regarding claim 4, wherein the second imaging system is an X-ray imaging system having a pedestal 22, wherein the second coupling mechanism is configured to be removably coupled to the pedestal of the X-ray system.

In reference to claim 6, Hynes discloses a patient transport system for transporting a patient from a magnetic resonance imaging system to a second imaging system, the patient transport system comprising:

an elongated member 20 having an upper surface configured to support a patient;

a first coupling mechanism 28 attached to the elongated member configured to removably couple the elongated member to the magnetic resonance imaging system.

a second coupling mechanism attached to the elongated member configured to removably couple the elongated member to a second imaging system (col. 8 lines 21-29

wherein the first and second coupling mechanisms are on opposing ends of the elongated member.

In reference to claim 9, Hynes discloses a patient transport system for transporting a patient in a medical imaging environment, comprising an elongated patient support member 20 having a first end opposite a second end, wherein the first end is configured to be coupled to a magnetic resonance imaging device (col. 10 lines

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20-23) and the second end is configured to be coupled to an X-ray imaging device (col. 8 lines 21-29).

Regarding claims 10 and 18, wherein the elongated patient support is suitable for use in both magnetic resonance imaging environment and an X-ray imaging environment.

Regarding claims 12 and 20, further comprising a plurality of wheels (col. 8 lines 42-43).

Regarding claim 13, wherein the elongated patient support member comprising a table 52 and a patient cradle 66 resting on the table, wherein the table comprises a mounting surface configured to receive the patient cradle in a substantially fixed relationship wherein the table includes a plurality of wheels configured to roll the elongated patient support member on the floor (col. 8 lines 43-57).

In reference to claim 16, Hynes discloses a patient transport system comprising:
a patient support surface 20 comprising a first end compatible with a first coupling arrangement on an imaging system (col. 10 lines 20-23) and a second end compatible with a second coupling arrangement on a second imaging system (col. 8 lines 21-29).

In reference to claim 17, Hynes discloses a patient transport system comprising:
a patient support surface 20 comprising a first end compatible with a first coupling arrangement on an imaging system (col. 10 lines 20-23) and a second end compatible with a second coupling arrangement on a second imaging system (col. 8 lines 21-29); and

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wherein the table includes a first end compatible with a coupling arrangement on a magnetic resonance imaging system and a second end compatible with a coupling arrangement on an X-ray imaging system.

Claims 7 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 4,105,923 to Hynes in view of U.S. Pat. No. 4,145,612 to Cooper.

In reference to claims 7 and 11, Hynes discloses all of the Applicant's claimed limitations except for the elongated member comprised of Kevlar. Cooper discloses an elongated member comprised of Kevlar (col. 3 lines 28-30). It would have been obvious to one having ordinary skill in the art at the time of the invention to have the elongate member comprised of Kevlar in order to provide a composite that results in a scratch resistant patient support surface.

Allowable Subject Matter

Claims 3 and 19 are allowed.

Claims 5, 8, 14-15, and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments


Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fredrick C Conley whose telephone number is 308-7468. The examiner can normally be reached on m-th m-fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Shackelford can be reached on 308-2978. The fax phone numbers for the organization where this application or proceeding is assigned are 305-7687 for regular communications and 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 308-2168.


September 22, 2003


TERI PHAM LUU
PRIMARY EXAMINER